THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.318 OF 2005

DATED 30th NOVEMBER, 2006

BETWEEN

Parlapadu Village Farmers & Kavali Welfare Association and others.

… Petitioners

and

The District Collector, Kadapa, Kadapa District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.318 OF 2005

ORDER:

Parlapadu Village Farmers & Kavali Welfare Association, Parlapadu, and three other residents of the said village filed the writ petition seeking a writ of Mandamus declaring the action of respondents in identifying the land in survey No.292 admeasuring Acs.11.92 in Parlapadu village for distribution to respondents 4 to 14 and others as illegal and arbitrary. It is their case that the land in survey No.292 is classified in revenue records as Kunta Poramboke and therefore, the same cannot be assigned for agricultural purposes.

This Court while admitting the writ petition granted interim direction not to distribute the land in survey No.292. Subsequently, respondents 4 to 14 got impleaded in the writ petition. Their case is that there are number of kuntas in the village and all of them have been requesting the revenue authorities for assignment of the land in survey No.292 and by reason of the interim order passed, the land could not be assigned to them.

The respondents 1 to 3 have not filed any counter affidavit. However, learned Assistant Government Pleader for Revenue (General), Sri K.Jagan, on instructions, submits that the writ petition is filed on mere apprehension and there are no proposals whatsoever to assign the land in survey No.292 admeasuring Acs.11.92 either to the respondents 4 to 14 or others, and that the writ petition is filed making false allegations.

In view of the submission made by learned Assistant Government Pleader, the writ petition is dismissed with costs quantified at Rs.2,000/-.

_____

(V.V.S.RAO,J)

30.11.2006.
pln